

Message Text

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FM USMISSION IAEA VIENNA

TO SECSTATE WASHDC 4685

INFO AEC GERMANTOWN

AMEMBASSY BERN

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E.O. 11652: GDS

TAGS: PARM, TECH, IAEA

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SUBJECT: NPT EXPORTERS COMMITTEE MEETING, JULY 2, 1974

REF: STATE 139465

CAPETOWN FOR EMBASSY
GENEVA FOR DISTO

SUMMARY: AT SUBJECT MEETING, WITH C. ZANGGER IN CHAIR, EC MEMBERS REPRESENTED (UK, FRG, NETHERLANDS, DENMARK, BELGIUM AND ITALY) REPORTED THAT FRANCE HAD GIVEN "NO DEFINITE REPLY" RE COOPERATION WITH EC GROUP, AS WELL AS COMMITTEE, IN CARRYING OUT EXISTING OR ANTICIPATED OBLIGATIONS UNDER ART. III.2. OF NPT, CALLING FOR IAEA SAFEGUARDS TO BE APPLIED IN CONNECTION WITH EXPORTS OF NUCLEAR MATERIAL AND SPECIALIZED EQUIPMENT AND OTHER MATERIAL TO ANY NNWS. EC MEMBERS WITHIN COMMITTEE, EXCEPT FOR ITALY, WOULD THEREFORE QUALIFY UNDERTAKINGS TO OTHER PARTICIPANTS IN COMMITTEE. ITALY, FOR ALL PRACTICAL PURPOSES, DISASSOCIATED ITSELF FROM COMMITTEE. US, NETHERLANDS, SWEDEN, FINLAND, DENMARK, JAPAN, CANADA, FRG, AUSTRIA AND UK PREPARED AD REFERENDUM TO EXCHANGE DIPLOMATIC COMMUNICATIONS RE ACCEPTANCE OF COMMITTEE'S PROCEDURES AUGUST 15. SWITZERLAND, AUSTRALIA, NORWAY AND BELGIUM HOPE TO COMPLETE RESPECTIVE INTERNAL ACTION TO PERMIT EXCHANGE OF COMMUNICATIONS BY AUG. 15. IN ADDITION, US, NETHERLANDS, FINLAND, DENMARK, NORWAY, FRG, UK AND CANADA EXPECT TO BE IN POSITION TO SEND LETTERS TO IAEA DIR GEN ON AUG. 15, ANNOUNCING ADOPTION BY EACH OF COMMON PROCEDURES, AS SET FORTH IN MEMORANDA PREPARED BY COMMITTEE. US REQUESTED BY COMMITTEE TO ASCERTAIN WHETHER USSR AND EAST EUROPEAN STATES PREPARED ON AUG. 15 TO EXCHANGE COMMUNICATIONS WITH MEMBERS OF COMMITTEE AND TO SEND LETTERS TO IAEA DIR GEN.

END SUMMARY

1. ALL MEMBERS OF COMMITTEE (SWITZERLAND, US, UK, NETHERLANDS, DENMARK, FRG, ITALY, BELGIUM, SWEDEN, FINLAND, AUSTRALIA, JAPAN, NORWAY, CANADA AND AUSTRIA) AND OBSERVERS SOUTH AFRICA AND NEW ZEALAND REPRESENTED. PROF. CLAUDE ZANGGER, SWITZERLAND, IN CHAIR.

2. JACKSON (UK), SECRETARY, SUGGESTED UPDATING, IN CONFIDENTIAL

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SEVERAL NON-SUBSTANTIVE RESPECTS, MEMORANDA DEVELOPED BY COMMITTEE, SETTING FORTH "TRIGGER LISTS" OF ITEMS OF NUCLEAR MATERIAL AND EQUIPMENT ESPECIALLY DESIGNED OR PREPARED FOR PROCESSING, USE OR PRODUCTION OF SPECIAL FISSIONABLE MATERIAL WHICH WOULD NOT BE EXPORTED BY COUNTRY ABIDING BY MEMORANDA TO ANY NNWS, UNLESS NUCLEAR MATERIAL EXPORTED OR THAT WHICH IS PRODUCED, PROCESSED OR USED IN SPECIALIZED EQUIPMENT OR MATERIAL EXPORTED IS SUBJECT TO SAFEGUARDS

UNDER AGREEMENT WITH IAEA. COMMENT: SEPARATE MEMORANDA HAVE BEEN DEVELOPED FOR EXPORTS OF NUCLEAR MATERIAL AND FOR SPECIALIZED EQUIPMENT AND MATERIAL. EACH CONTAINS, IN ADDITION TO LIST OF ITEMS, PROCEDURES TO BE FOLLOWED TO ASSURE THAT, PRIOR TO EXPORT ANY SUCH ITEM TO ANY NNWS, SUPPLIER STATE WOULD A) SPECIFY AS CONDITION OF SUPPLY, THAT NUCLEAR MATERIAL TO BE EXPORTED, OR NUCLEAR MATERIAL PRODUCED, PROCESSED OR USED IN FACILITY FOR WHICH ITEM OF SPECIALIZED EQUIPMENT OR MATERIAL TO BE EXPORTED, SHOULD NOT BE DIVERTED TO NUCLEAR WEAPONS OR OTHER NUCLEAR EXPLOSIVE DEVICES AND B) SATISFY ITSELF THAT SAFEGUARDS TO THAT END, UNDER AGREEMENT BY RECIPIENT STATE WITH IAEA, WOULD BE APPLIED TO NUCLEAR MATERIAL IN QUESTION. MEMORANDA ALSO CALLS FOR SUPPLIER STATE, WHEN EXPORTING LISTED ITEMS TO STATES NOT RPT NOT ACTING IN ACCORD WITH PARTICIPANTS OF COMMITTEE, TO OBTAIN ASSURANCES THAT SUCH ITEMS WOULD NOT BE RE-EXPORTED TO NNWS NOT PARTY TO NPT UNLESS ARRANGEMENTS MADE FOR APPLICATION OF IAEA SAFEGUARDS IN STATE RECIPIENT SUCH RE-EXPORT, TO NUCLEAR MATERIAL RE-EXPORTER OR TO NUCLEAR MATERIAL PRODUCED, PROCESSED, OR USED IN FACILITIES FOR WHICH LISTED ITEMS OF SPECIALIZED EQUIPMENT OR MATERIAL ARE RE-EXPORTED. MEMORANDA IN FULL VERSIONS ALSO CALL FOR EXCHANGE OF INFORMATION, AMONG PARTICIPATING SUPPLIER STATES, CONCERNING ACTUAL EXPORTS OF LISTED ITEMS TO NNWS'S NOT PARTY TO NPT AND FOR REVIEW OF MEMORANDA. FINALLY, FULL MEMORANDA PROVIDE THAT ANY PARTICIPATING STATE MAY REQUEST MEETING OF ALL PARTICIPANTS TO CONSIDER CASE WHERE EXPORTING ACTIONS BY NON-PARTICIPATING STATE, UNACCOMPANIED BY REQUIREMENT FOR SAFEGUARDS, THREATENS COMMERCIAL DISADVANTAGE TO ONE OR MORE PARTICIPANTS. FULL VERSIONS OF MEMORANDA (SO-CALLED "UNABRIDGED") ARE TO BE SUBJECT OF BILATERAL EXCHANGE OF DIPLOMATIC NOTES BETWEEN THOSE STATES WISHING TO PARTICIPATE IN ARRANGEMENTS.

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SHORTER VERSIONS (SO-CALLED "EXPURGATED") ARE TO BE ENCLOSURES TO LETTER TO IAEA DIR GEN WHICH PARTICIPANTS IN POSITION DO SO WOULD SEND, REQUESTING ALL IAEA MEMBERS TO BE INFORMED OF STATE'S EXPORT POLICY. END COMMENT. GROUP AGREED THAT ALL STATES REPRESENTED ON COMMITTEE BE LISTED IN OPENING PARA OF "UNABRIDGED" MEMORANDA, THAT REFERENCE TO LOCATIONS OF MEETINGS BE DELETED AND THAT DATE OF FINAL MEETING BE SHOWN AS JULY 1974. AT US SUGGESTION, REFERENCE IN OPENING PARA TO INFORMAL CONSULTATIONS HAVING TAKEN PLACE WITH USSR WOULD BE ADDED, SUBJECT TO LACK OF OBJECTION BY USSR.

3. ALSO SUGGESTED BY US WAS DELETION OF PARA 4 OF MEMORANDA, IN LIGHT IAEA LEGAL OPINION, NOT YET MADE PUBLIC BUT WHICH DIR GEN PLANNED MAKE PUBLIC AT APPROPRIATE

OPPORTUNITY, THAT EXISTING LANGUAGE OF IAEA SAFEGUARDS AGREEMENTS, CALLING FOR SAFEGUARDED MATERIAL NOT RPT NOT TO BE USED TO FURTHER ANY MILITARY PURPOSE, PROHIBITS USE SUCH MATERIAL FOR DEVELOPMENT OR MANUFACTURE ANY NUCLEAR EXPLOSIVE DEVICE. PARA 4 LISTS AS ONE OF TWO ALTERNATIVE WAYS IN WHICH SUPPLIER STATE WOULD OBTAIN UNDERSTANDING THAT SAFEGUARDED NUCLEAR MATERIAL WAS NOT RPT NOT TO BE USED FOR ANY NUCLEAR EXPLOSIVE DEVICE, INCLUSION SUCH UNDERSTANDING IN FORMAL SAFEGUARDS AGREEMENT BETWEEN RECIPIENT NNWS AND IAEA. (SECOND ALTERNATIVE CALLS FOR SUPPLIR STATE TO SPECIFY SUCH UNDERSTANDING AS CONDITION OF SUPPLY.) IT WAS POINTED OUT THAT IAEA SECRETARIAT POSITION RE PROHIBITION IMPLICIT IN LANGUAGE OF EXISTING

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AGREEMENTS WOULD BE UNDERCUT IF EXPLICIT FORMULATION
WAS REQUIRED IN NEW AGREEMENTS. AFTER CONCERN WAS EXPRESSED
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BY SEVERAL PARTICIPANTS (INCLUDING AUSTRALIA AND FINLAND)
RE EXPLAINING PROBLEM TO CAPITALS, IT WAS AGREED TO RETAIN
PARA 4 IN "UNABRIDGED" VERSIONS, WHICH WERE TO REMAIN
PRIVATE, BUT TO DELETE PARA IN "EXPURGATED" VERSIONS, TO
BE MADE PUBLIC.

4. JACKSON (UK) SUGGESTED DELETION OF PHRASE "WITHOUT
THE CONSENT OF THE SUPPLYING STATE, IT BEING UNDERSTOOD
THAT SUCH CONSENT WOULD NOT BE GIVEN" IN PARA 6 OF ALL
MEMORANDA, WHICH PARA ADDRESSES QUESTION OF "RETRANSFER".
JACKSON EXPLAINED THAT DELETION WAS PROPOSED IN LIGHT OF
FRENCH POSITION WHICH WOULD BE REPORTED LATER. EFFECT OF
DELETION WOULD BE TO AVOID REQUIREMENT THAT EC MEMBERS
WOULD, PRIOR EACH INTENDED EXPORT TO FRANCE OF LISTED ITEM,
OBTAIN ASSURANCE FROM FRANCE AGAINST RE-EXPORT SPECIFIC
ITEM TO NNWS NOT RPT NOT PARTY NPT, WITHOUT CONSENT OF
EC MEMBER OF ORIGIN. CANADA ASKED WHY, ASSUMING DELETION
OF REQUIREMENT WOULD FACILITATE DEALINGS BY OTHER EC MEM-
BERS WITH FRANCE, REQUIREMENT SHOULD BE DELETED WITH
RESPECT TO WHOLE WORLD. US STATED DELETION WOULD ONLY BE
ACCEPTABLE IF MINUTES SHOW THAT SUCH DELETION INTENDED ONLY
TO APPLY AS BETWEEN EC MEMBERS AND FRANCE.

5. IN RESPONSE TO QUESTION FROM SWEDEN (OBVIOUSLY PROMPTED
BY INDIAN EXPLOSION), IT WAS AGREED THAT DEFINITION OF
NUCLEAR-WEAPON STATE APPLICATION TO WORK OF COMMITTEE
WAS IDENTICAL TO DEFINITION IN NPT. IN RESPONSE TO
QUESTION BY CANADA RE MEANING OF PHRASE "THE GROUP" AS
USED IN "UNABRIDGED" MEMORANDA, IT WAS AGREED THAT PHRASE
REFERS TO ALL THOSE STATES WHICH SUBSCRIBE TO CONCLUSIONS
REACHED BY COMMITTEE AS SET FORTH IN MEMORANDA.

6. COMMITTEE AGREED THAT REFERENCE TO REVIEW OF UNDER-STAND-
INGS IN PARA 10 OF "UNABRIDGED" MEMORANDA SHOULD CALL
FOR SUCH REVIEW NOT LATER THAN SEPTEMBER 1976 AND THAT

DATE UNTIL WHICH UNDERSTANDINGS SHALL BE REGARDED AS VALID, UNLESS REVISED EARLIER, SHOULD BE FEBRUARY 1977.

7. JACKSON VOLUNTEERED TO CIRCULATE FINAL VERSIONS OF TEXTS REFLECTING FOREGOING CHANGES AGREED AD REFERENDUM.

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8. FRG REPORTED THAT "NO DEFINITE REPLY" HAD BEEN RECEIVED FROM FRANCE BY EC MEMBERS OF COMMITTEE TO QUESTIONS POSED (MORE THAN 18 MONTHS AGO) RE FRANCE'S WILLINGNESS (IN LIGHT ITS PUBLIC STATEMENT AT UNGA THAT IT INTENDED TO ACT AS IF IT WERE PARTY TO NPT) TO A) SUBSCRIBE TO PROCEDURES SET FORTH IN MEMORANDA OF COMMITTEE AND B) GIVE OTHER EC MEMBERS REQUIRED ASSURANCES IN CONNECTION WITH RE-EXPORT BY FRANCE OF LISTED ITEMS TO NNWS'S NOT RPT NOT PARTY TO NPT, WHEN SUCH ITEMS ARE EXPORTED TO FRANCE BY ANOTHER EC MEMBER. BELGIUM ADDED TO FRG REPORT THAT THERE SOME REASON TO BELIEVE THAT RESPONSE FROM FRANCE WOULD COME SOON.

9. US REPORTED ON RESULTS INFORMAL CONSULTATION PREVIOUS DAY WITH USSR MISSION (ANTIASOV AND MICHALIN) AS REQUESTED BY GROUP IN INFORMAL MEETING JUNE 27 ON QUESTIONS OF A) USSR WILLINGNESS TO EXCHANGE DIPLOMATIC NOTES WITH PARTICIPANTS IN GROUP, IN ADDITION TO US AND UK, IN PARTICULAR WHETHER USSR WOULD RESPOND TO NOTES FROM PARTICIPANTS AND B) WHETHER USSR WAS PREPARED, AS CALLED FOR IN "UNABRIDGED" MEMORANDA, TO EXCHANGE INFORMATION WITH PARTICIPANTS CONCERNING ACTUAL EXPORTS OF LISTED ITEMS TO NNWS'S NOT PARTY TO NPT AND PARTICIPATE IN REVIEW OF MEMORANDA. (USSR HAD AGREED, IN FALL OF 1973, TO SEND LETTER IN COMPANY WITH US AND UK TO IAEA DIR GEN ENCLOSING EXPURGATED MEMORANDA AND TO EXCHANGE NOTES WITH UK AND US ENCLOSING "UNABRIDGED" MEMORANDA.) US REPORTED THAT FIRST QUESTION SEEMED TO ELICIT SYMPATHETIC REACTION BUT WAS BEING REFERRED TO MOSCOW; SECOND QUESTION WAS ANSWERED CATEGORICALLY IN AFFIRMATIVE WITH RESPECT TO SUBSTANCE, WITH ONLY QUESTION THAT OF FORM.

10. COMMITTEE THEN TOOK UP QUESTION OF READINESS OF PARTICIPANTS TO EXCHANGE DIPLOMATIC NOTES INFORMING EACH OTHER OF RESPECTIVE INTENTIONS TO SUBSCRIBE TO "UNABRIDGED" MEMORANDA. BELGIUM STATED THAT LUXEMBOURG AND IRELAND WERE EACH UNDERSTOOD TO BE TAKING STEPS TO PERMIT ASSOCIATION WITH GROUP. FRG STATED THAT, IN VIEW OF ABSENCE OF RESPONSE BY FRANCE, IT WOULD BE NECESSARY TO INCLUDE IN ITS NOTES TO OTHER PARTICIPANTS, THE FOLLOWING "INTERPRETIVE CLAUSE" (OR SO-CALLED "DISCLAIMER"): QUOTE SO FAR AS TRADE WITHIN THE EUROPEAN COMMUNITY IS CONCERNED,

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THE GOVERNMENT OF THE FRG WILL WHERE NECESSARY IMPLEMENT PARAGRAPH 6 OF THE MEMORANDUM IN THE LIGHT OF ITS COMMITMENTS UNDER THE TREATIES OF ROME. UNQUOTE. THE NETHERLANDS REGRETTED ABSENCE OF REPLY BY FRANCE, BELIEVED IT URGENT FOR COMMITTEE TO CONCLUDE ITS WORK, AND WILL USE SAME FORMULA AS FRG. UK WAS READY AND ABLE TO IMPLEMENT MEMORANDA AND, IN FACT, WAS ALREADY OPERATING ON THAT BASIS, WILL MAKE SAME STATEMENT AS FRG, BUT IMPORTANT TO KEEP DOOR OPEN AND DIPLOMATIC NOTES EXCHANGED, HOPED "DISCLAIMER" WOULD BE UNNECESSARY. DENMARK, TO SURPRISE AND CONSTERNATION OTHER EC MEMBERS, MADE "UNOFFICIAL" STATEMENT NOTING ITS EARLY RATIFICATION AND IMPORTANCE ATTACHED TO NPT, EXISTING DANISH LEGISLATION ALREADY COVERED PRINCIPLES AND ALL ITEMS LISTED IN MEMORANDA, AND DANES DID NOT WISH TO EXPORT WITHOUT PRIOR ASSURANCES RE CONTROL ON RE-EXPORTS. "DISCLAIMER" DESCRIBED BY FRG COULD ONLY BE ACCEPTED WITH NUMBER OF QUALIFICATIONS; THEREFORE, DENMARK HAS DECIDED TO OPEN BILATERAL DISCUSSIONS WITH FRANCE, SCHEDULED TO BEGIN EARLY SEPTEMBER, CONCERNING DENMARK'S PRIOR NPT COMMITMENTS, FAVORABLE OUTCOME OF WHICH WOULD PERMIT DENMARK TO JOIN ACTION BY GROUP. JAPAN STATED IT PREPARED UNDERTAKE TO EXCHANGE MEMORANDA, USING FORM OF NOTE DEVELOPED BY COMMITTEE (ANNEXES C AND D TO DOCUMENT

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C O N F I D E N T I A L SECTION 3 OF 4 IAEA VIENNA 6059

ZC(72)/20/REV. 1, DTD 5 JULY 1972) WHICH STATES INTENTION
OF JAPAN TO BRING ITS PROCEDURES FOR CONTROLLING EXPORTS
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INTO FULL CONSISTENCY WITH THOSE SET OUT IN "UNABRIDGED"
MEMORANDA "AS SOON AS POSSIBLE AFTER JAPAN HAS RATIFIED
THE NPT", IF "SUFFICIENT" PARTICIPANTS, INCLUDING ALL
RPT ALL EC MEMBERS IN GROUP, PREPARED TO EXCHANGE NOTES.
JAPAN ALSO PREPARED ACCEPT FRG-TYPE "DISCLAIMER" BUT IT
WOULD NECESSITATE JAPAN OBTAINING ASSURANCE THAT ITS
EXPORTS TO EC MEMBERS WOULD NOT BE EXPORTED DIRECTLY OR
INDIRECTLY OUTSIDE COMMUNITY WITHOUT ADVANCE CONSENT OF
JAPAN; SUCH STATEMENT WOULD THEREFORE BE INCLUDED IN EACH
OF JAPAN'S NOTES TO EC MEMBERS. FINLAND WAS PREPARED
ENTER ARRANGEMENT WITHOUT RESERVATION, BUT WITHOUT
PREJUDICE TO FINAL FORM OF MEMORANDA. SWEDEN REPORTED NO
FORMAL DECISION HAD BEEN REACHED RE MEMORANDA, REGULATIONS
RE EXPORT OF TRIGGER LIST ITEMS ARE UNDER DEVELOPMENT AND
WOULD BE ISSUED LATER THIS YEAR; EXACT ADMINISTRATIVE
ARRANGEMENTS NOT YET SETTLED, BUT COMMITTEE'S RECOMMENDA-
TIONS INTENDED TO BE FOLLOWED. ITALY SUGGESTED THAT, SINCE
NUMBER OF PARTICIPANTS NOT YET READY TO EXCHANGE NOTES, A
LESS FORMAL AND DETAILED INTERIM ARRANGEMENT, SUCH AS ITALY
HAD PROPOSED EARLIER WITHOUT SUCCESS SHOULD BE CONSIDERED. IN

ANY EVENT, ITALY WILL RATIFY IAEA-EURATOM VERIFICATION AGREEMENT, FOLLOWING WHICH ITALY WILL APPLY FULLY MEMORANDUM CONCERNING EXPORT OF NUCLEAR MATERIAL AND, AFTER ITALY RATIFIES NPT, WILL APPLY FULL MEMORANDUM CONCERNING SPECIALIZED EQUIPMENT AND MATERIAL. CANADA WAS READY, AT EARLY DATE, TO EXCHANGE NOTES. SINCE "DISCLAIMER" LANGUAGE FOR EC MEMBERS, NOT PREVIOUSLY REVEALED, WOULD REQUIRE STUDY, CANADA MIGHT WISH TO INCLUDE CLAUSE IN ITS OWN NOTES PROTECTING ITS POSITION ON EXPORTS TO EC MEMBERS AND WOULD NEED TO TREAT AS NON-MEMBER OF GROUP THOSE STATES WHICH DO NOT SUBSCRIBE TO MEMORANDA, EVEN IF ON INTERIM BASIS. AUSTRALIA'S AUTHORITIES WERE STILL CONSIDERING MACHINERY NECESSARY FOR IMPLEMENTATION OF MEMORANDA BUT HOPED TO BE IN POSITION TO EXCHANGE NOTES SOON. SWITZERLAND REPORTED THAT NPT RATIFICATION PROCESS HAD ONLY RECENTLY BEEN INITIATED AND WAS EXPECTED TO BE COMPLETED BY MAY 1975; EXCHANGE OF NOTES WOULD TAKE PLACE SOMETIME DURING RATIFICATION PROCESS AND WOULD PROBABLY USE VERSIONS AS SHOWN IN ANNEXES C AND D TO ZC(72)/20/REV. 1, WITH QUALIFICATION "ASAP AFTER NPT RATIFICATION". NORWAY WISHED GROUP TO MOVE AND WAS PREPARED EXCHANGE NOTES ASAP IF REASONABLE CONSENSUS APPEARED READY DO SO. AUSTRIA ALSO WISHED CONFIDENTIAL

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GROUP CONCLUDE WORK, ITS AUTHORITIES HAD NOT RPT NOT REACHED FORMAL CONCLUSION ON MEMORANDA, BUT WERE PREPARING DRAFT REGULATIONS AND WOULD VERY SOON BE IN POSITION TO EXCHANGE NOTES, USING VERSIONS AS IN ANNEXES C AND D, BUT WITH ALTERNATIVE QUALIFICATION, SINCE AUSTRIA WAS NPT PARTY, OF INTENTION TO BRING ITS PROCEDURES INTO CONFORMITY WITH MEMORANDA "AS SOON AS POSSIBLE". ITALY INTERVENED AGAIN TO STATE THAT PREREQUISITE TO ITALY'S POSITION ON MEMORANDA, WHATSOEVER THAT WILL BE, IS SOLUTION TO ALL RPT ALL ASPECTS OF PROBLEM WITH FRANCE: I.E., A) JOINING GROUP, B) ACT IN ACCORD WITH MEMBERS OF GROUP AND C) GIVE ASSURANCES CONCERNING RE-EXPORT. BELGIUM WAS PREPARED EXCHANGE NOTES IN VERSIONS AS SHOWN IN ANNEXES C AND D, WITH QUALIFICATION "ASAP AFTER NPT RATIFICATION". FRG WAS READY TO EXCHANGE NOTES IF "ENOUGH" MEMBERS OF GROUP READY, THOUGH VERSIONS TO BE USED WAS OPEN QUESTION. SOUTH AFRICA HAD NO POSITION.

11. US WAS EAGER TO EXCHANGE NOTES ASAP, HOPED THAT AS MANY OF OTHERS WOULD DO SO, FOUND FRG "DISCLAIMER" FORMULA ACCEPTABLE AND, ASSUMING ALL EC MEMBERS, OTHER THAN FRANCE, SUBSCRIBED TO MEMORANDA WOULD INFORM EC AND ALL ITS MEMBERS, INCLUDING FRANCE, THAT ALL EXPORTS OF TRIGGER LIST ITEMS FROM THE US TO EC OR ITS MEMBERS, AS OF DATE OF USG LETTER TO IAEA DIR GEN, WILL BE SUBJECT TO PROHIBITION AGAINST RE-EXPORT TO NNWS'S OUTSIDE EC EXCEPT UPON EXPRESS CONSENT BY USG, AND THAT SUCH CONSENT COULD NOT BE GIVEN UNLESS ARRANGEMENTS ARE MADE FOR ACCEPTANCE OF IAEA SAFEGUARDS ON

NUCLEAR MATERIAL PRODUCED, ETC., IN RECEIVING STATE.

12. MOREOVER, APART FROM RESPONSE TO "DISCLAIMER" BY EC MEMBERS RE FRANCE, US WOULD INCLUDE FOLLOWING STATEMENT IN ITS DIPLOMATIC NOTES IT EXCHANGES WITH OTHERS AND IN ITS LETTER TO IAEA DIR GEN: QUOTE DELIVERIES OF SUCH ITEMS TO THE EUROPEAN ATOMIC ENERGY COMMUNITY AND ITS MEMBERS, UNDER CONTRACTS MADE PURSUANT TO EXISTING AGREEMENTS BETWEEN THE UNITED STATES AND THE EUROPEAN ATOMIC ENERGY COMMUNITY, WILL CONTINUE TO BE MADE IN LIGHT OF OUR EXPECTATION THAT THE AGREEMENT BETWEEN THE IAEA, THE EUROPEAN ATOMIC ENERGY COMMUNITY AND CERTAIN OF THE MEMBER STATES OF THE COMMUNITY, SIGNED ON APRIL 5, 1973, WILL ENTER INTO FORCE IN THE VERY NEAR FUTURE. UNQUOTE.

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13. DISCUSSION OF POSSIBLE DATE FOR EXCHANGE OF DIPLOMATIC NOTES RESULTED IN TARGET BEING FIXED OF AUGUST 15, 1974, WITH EACH PARTICIPANT INFORMING SECRETARY OF ITS POSITION BY AUGUST 8, 1974. UK WAS HAPPY WITH AUGUST 15 DATE BUT SUGGESTED POSTPONEMENT UNTIL END OF IAEA GEN CONF, IN EARLY OCTOBER, IF MORE SATISFACTORY SOLUTION FOR EC MEMBERS THEREBY PERMITTED.

14. POLL WAS THEN TAKEN AMONG PARTICIPANTS CONCERNING ANY CONDITIONS NECESSARY TO BE MET FOR SUCH EXCHANGE OF NOTES ON AUGUST 15. THOSE STATING NO SUCH CONDITIONS WERE US, NETHERLANDS, SWEDEN, NORWAY, CANADA AND UK. FINLAND WANTED INTENTIONS OF USSR AND EAST EUROPEAN STATES TO BE DETERMINED. SWITZERLAND WANTED THREE NNWS'S PARTY TO NPT TO SUBSCRIBE TO ARRANGEMENTS. DENMARK RESERVED PENDING ITS BILATERAL DISCUSSIONS WITH FRANCE. AUSTRALIA WANTED "SUBSTANTIAL NUMBER" OF PARTICIPANTS TO EXCHANGE NOTES. JAPAN NEEDED ALL EC MEMBERS PARTICIPATING IN GROUP TO EXCHANGE NOTES, BUT HOPEFULLY ITS AUTHORITIES WOULD SETTLE FOR

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AMEMBASSY LUXEMBOURG

AMEMBASSY MOSCOW

AMEMBASSY OSLO

AMEMBASSY OTTAWA

AMEMBASSY PARIS

AMEMBASSY PRETORIA

AMEMBASSY ROME

AMEMBASSY STOCKHOLM

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"MOST" EC MEMBERS IN GROUP. FRG, IN STATEMENT OBVIOUSLY
DIRECTED AT SWEDEN, WANTED ALL NPT PARTIES PARTICIPATING
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IN GROUP. BELGIUM ASSOCIATED ITSELF WITH FRG POSITION AND
STATED ITS UNDERSTANDING (WHICH WAS CONFIRMED BY GROUP)
THAT EXCHANGE OF NOTES WOULD TAKE PLACE IN RESPECTIVE
CAPITALS; I.E., UK WOULD INFORM BELGIUM THRU UK EMBASSY
IN BRUSSELS AND BELGIUM WOULD INFORM UK THRU BELGIAN
EMBASSY IN LONDON.

15. ITALY, HAVING REQUESTED TO SPEAK LAST IN FOREGOING

POLL, THEN READ STATEMENT, EMPHASIZING THAT IT WAS BEING MADE ON INSTRUCTIONS, NOTING THAT PROCEDURES SET OUT IN MEMORANDA WOULD PROVE EFFECTIVE ONLY WHEN ALL MAJOR EXPORTERS SUBSCRIBE TO THEM. POSITION OF USSR RPT USSR IN THIS RESPECT WAS "LESS THAN UNAMBIGUOUS". (STATEMENT MADE NO MENTION OF FRANCE.) ITALIAN REP WAS, HOWEVER, AUTHORIZED TO STATE THAT ITALY INTENDS TO APPLY UNILATERALLY, AS SOON AS IT HAS RATIFIED NPT, "UDIDELINES" IN PARAS 2 (DETAILED LIST OF ITEMS) AND 3 (GENERAL REQUIREMENTS AS IN SECOND SENTENCE OF COMMENT IN PARA 2 THIS MESSAGE) OF MEMORANDA OT ITS EXPORT POLICY FOR PEACEFUL PURPOSES OF A) SOURCE OR SPECIAL FISSIONABLE MATERIAL AND B) EQUIPMENT OR MATERIAL ESPECIALLY DESIGNED OR PREPARED FOR PROCESSING, USE OR PRODUCTION OF SPECIAL FISSIONABLE MATERIAL TO "ANY NNWS NOT ACCEPTING SAFEGUARDS UNDER ARTICLE III OF NPT". HE ALSO WISHED TO NOTE THAT THE "DISPOSITIONS" OF DOCUMENT ZC/72/12 COVERING SOURCE AND SPECIAL FISSIONABLE MATERIAL ARE FULLY COVERED BY THE VERIFICATION AGREEMENT "CONCLUDED" BETWEEN IAEA, EURATOM, ITALY, ETC.

16. PARTICIPANTS WERE THEN POLLED ON QUESTION OF SENDING LETTERS TO IAEA DIR GEN ON AUGUST 15, 1974, ASSUMING BILATERAL EXCHANGES OF DIPLOMATIC NOTES WOULD ALSO TAKE PLACE THAT DATE. US, NETHERLANDS, FINLAND, NORWAY, CANADA AND UK WERE PREPARED DO SO. FRG WAS PREPARED, IF ALL NPT PARTIES IN GROUP SEND LETTERS THEN. (SWEDEN HAD ALREADY INDICATED THAT ITS AUTHORITIES WERE UNDECIDED ON QUESTION; SUBSEQUENTLY SWEDEN INDICATED THAT IT WOULD PROBABLY SEND LETTER.)

17. MEETING ADJOURNED UNTIL FOLLOWING MORNING. PORTER

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptoning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: NPT, EXPORTERS, COMMITTEE MEETINGS
Control Number: n/a
Copy: SINGLE
Draft Date: 09 JUL 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974IAEAV06059
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D740182-0543
From: IAEA VIENNA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740766/aaaaceeb.tel
Line Count: 631
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION SCI
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
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Previous Handling Restrictions: n/a
Reference: STATE 139465
Review Action: RELEASED, APPROVED
Review Authority: golinofr
Review Comment: n/a
Review Content Flags:
Review Date: 20 MAR 2002
Review Event:
Review Exemptions: n/a
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Review Media Identifier:
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Secure: OPEN
Status: NATIVE
Subject: NPT EXPORTERS COMMITTEE MEETING, JULY 2, 1974
TAGS: PARM, TECH, IAEA, AEC
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005